

Notice of Allowability

Application No.

10/820,426

Examiner

Crystal J. Barnes

Applicant(s)

WIMSATT, WILLIAM

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment received on 21 October 2005.
2. ☒ The allowed claim(s) is/are 7-15 and 17-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. The following is a Notice of Allowability in response to the Amendment received on 21 October 2005. Claim 7 has been amended. Claims 1-6 and 16 have been cancelled. Claims 19-26 have been added. Claims 7-15 and 17-26 remain pending in this application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kent A. Lembke, Reg. No. 44,866 on 19 December 2005.

The application has been amended as follows:

IN THE CLAIMS:

Claim 7 line 7, deleted "as well implementing" and inserted --as well as implement--.

Claim 19 line 6, after "control unit;" inserted --wherein each of the interface elements simultaneously display information based on the context information and are operable to implement behavior to send control messages to a controlled system;--.

Claim 22 lines 3-5, deleted " and wherein each of the interface elements simultaneously display information based on the context information and are operable to implement behavior to send control messages to a controlled system"

Claim 23 line 3 on page 7, deleted "first set" and inserted --second set--.

REASONS FOR ALLOWANCE

3. Claims 7-15 and 17-26 are allowed.
4. The following is an examiner's statement of reasons for allowance:

As per claim 7, the prior art of record taken alone or in combination fails to teach a single user interface element can simultaneously display information about the context as well as implement behavior to send messages to a controlled system that can affect change in the displayed information; wherein the context information comprises state information known to the control unit, which includes

context-specific state information known to a particular control unit as well as global context information known to multiple or all control units in a system.

As per claim 19, the prior art of record taken alone or in combination fails to teach each of the interface elements simultaneously display information based on the context information and are operable to implement behavior to send control messages to a controlled system; wherein the context information comprises state information defining the current state, the context information including context-specific state information known to the control unit and global context information for the home automation system.

As per claim 23, the prior art of record taken alone or in combination fails to teach the first and second sets of context information differ such that for a particular operating state of the first and second control units the displayed information for at least one of the user interface elements differs based on the context information for the particular control unit.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Election/Restrictions

5. Applicant's election without traverse of claims 7-18 in the reply filed on 21 October 2005 is acknowledged.

Drawings

6. The amendments to the specification to add the reference characters were received on 21 October 2005. These corrections are acceptable.

Specification

7. The amendments to the specification were received on 21 October 2005. These corrections are acceptable.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to graphical user interfaces in general:

USPN 6,967,565 B2 to Lingemann

USPN 6,844,807 B2 to Inoue et al.

USPN 6,756,998 B1 to Bilger

USPN 6,593,856 B1 to Madau

USPN 6,208,341 B1 to van Ee et al.

USPN 5,579,221 to Mun

USPN 5,061,916 to French et al.

US Pub. No. 2004/0216059 A1 to Vong et al.

US Pub. No. 2002/0013629 A1 to Nixon et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 571.272.3679. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571.272.3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJB
19 December 2005


Anthony Knight
Supervisory Patent Examiner
Group 3600